



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant: Jeremy Clark  
Serial No.: 10/828,753  
Filed: April 21, 2004  
Title: Modified Fluorinated Nucleoside Analogues

Examiner: Traviss C. McIntosh, III  
Group Art Unit: 1614  
Docket: 60137.0002USU1

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on November 21, 2006.

By: *Christina Caudle*  
Name: Christina Caudle

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**23552**

PATENT TRADEMARK OFFICE

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Information Disclosure Statement, Form 1449, and 115 References
- ☒ Authorization to charge Deposit Account 13-2725 in the amount of \$180.00 to cover the fee for submission of Information Disclosure Statement
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

Merchant & Gould LLC  
P.O. Box 2903  
Minneapolis, MN 55402-0903  
404.954.5100

By: *Daniel R. Evans*  
Name: Daniel R. Evans, Ph.D.  
Reg. No.: 55,868  
DRE



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Jeremy Clark	Examiner:	Traviss C. McIntosh, III
Serial No.:	10/828,753	Group Art Unit:	1614
Filed:	04/21/2004	Docket No.:	60137.0002USU1
Title:	Modified Fluorinated Nucleoside Analogues		

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By:

Name: Christina Caudle

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(c))

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted after the mailing date of a first Office Action on-the-merits or a first Office Action after filing a Request for Continued Examination under 37 C.F.R. § 1.114 or a CPA under 37 C.F.R. § 1.53(d), but before the mailing date of: i) a final action under 37 C.F.R. § 1.113; ii) a Notice of Allowance under 37 C.F.R. § 1.311; or iii) an action that otherwise closes prosecution on the application. Please charge Deposit Account No. 13-2725 for consideration of the items listed on the enclosed Form 1449.

A copy of any foreign patent document or "Other Document" listed on the Form 1449 is enclosed, in accordance with 37 C.F.R. § 1.98(a)(2). Because this application was filed after June 30, 2003, copies of the U.S. Patents and U.S. patent publications listed on the enclosed Form 1449 are not provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a

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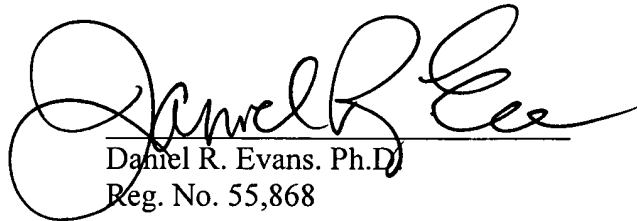
reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

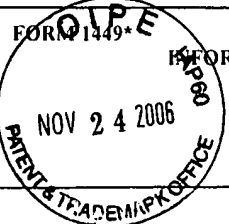
MERCHANT & GOULD P.C.  
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Daniel R. Evans. Ph.D.  
Reg. No. 55,868

Date: November 21, 2006



	<b>INFORMATION DISCLOSURE STATEMENT</b>	
	<b>IN AN APPLICATION</b>	
	(Use several sheets if necessary)	
Docket Number:	60137.0002USU1	Application Number:
Applicant: Jeremy Clark		10/828,753
Filing Date: 04/21/2004	Group Art Unit: 1614	

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	4,814,477	03/21/1989	Wijnberg et al.			
	5,118,820	06/02/1992	Hertel			
	5,405,598	04/11/1995	Schinazi et al.			
	5,420,266	05/30/1995	Britton et al.			
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	5,767,097	06/16/1998	Tam			
	6,090,932	07/18/2000	McGee et al.			
	6,130,326	10/10/2000	Ramasamy et al.			
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	6,372,883	04/16/2002	Attwood et al.			
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	6,682,715	01/27/2004	Klecker et al.			

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

<b>FORM 1449*</b> <b>INFORMATION DISCLOSURE STATEMENT</b>  <b>IN AN APPLICATION</b> (Use several sheets if necessary)	Docket Number: 60137.0002USU1	Application Number: 10/828,753
	Applicant: Jeremy Clark	
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U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	6,683,045	01/27/2004	Klecker et al.			
	6,703,374	03/09/2004	Klecker et al.			
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	6,914,054	07/05/2005	Sommadossi et al.			
	6,962,991	11/08/2005	Dempcy et al.			
	7,018,985	03/28/2006	Boyer, et al.			
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	2003/0120071	06/26/2006	McGuigan, et al.			
	2003/0144502	07/31/2003	Pietrkowski et al.			
	2003/0153744	08/14/2003	Mekouar et al.			
	2004/0006007	01/08/2004	Gosselin et al.			
	2004/0059104	03/25/2004	Cook et al.			
	2004/0097461	05/20/2004	Sommadossi et al.			
	2004/0167140	08/26/2004	Schinazi, et al.			
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	2004/0014108	01/22/2004	Elarup, et al.			
	2004/0191824	09/30/2004	Dempcy et al.			
	2004/0229839	11/18/2004	Babu et al.			
	2004/0248892	12/09/2004	Wang			

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EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	2004/0259934	12/23/2004	Olsen et al.			
	2004/0265969	12/30/2004	Li et al.			
	2004/0266996	12/30/2004	Rabi			
	2004/0063622	04/01/2004	Sommadassi, et al.			
	2004/0097462	05/27/2004	Sommadassi, et al.			
	20040102414	05/27/2004	Sommadassi, et al.			
	2005/0009737	01/13/2005	Clark			
	2005/0026853	02/03/2005	Mekouar et al.			
	2005/0031588	02/10/2005	Sommadassi, et al.			
	2005/0075309	04/07/2005	Storer, et al.			
	2005/0080034	04/14/2005	Standing, et al.			
	2005/0090660	04/28/2005	Watanabe, et al.			
	2005/0124532	06/09/2005	Sommadossi et al.			
	2005/0130931	06/16/2005	Boyer et al.			
	2005/0137161	06/23/2005	Sommadossi et al.			
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	2005/0164960	07/28/2005	Olsen et al.			
	2005/0215513	09/29/2005	Boojamra, et al.			
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	2006/0003951	01/05/2006	Mekouar, et al.			
	2006/0014943	01/19/2006	Dempey, et al.			
	2006/0040944	02/23/2006	Gosselin, et al.			
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	2006/0035866	02/16/2006	Cannizzaro, et al.			
	2006/0079478	04/13/2006	Boojamra, et al.			

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	2006/0144502	07/06/2006	Weder				
	2006/0122146	07/08/2006	Chun, et al.				
	2006/0122154	07/08/2006	Olsen, et al.				
	2006/0142238	07/29/2006	McGuigan				
	Re 29,835	11/14/1978	Witkowski				
	60/392350	05/21/2001	Elek				
	60/392351	06/28/2002	Storer				
FOREIGN PATENT DOCUMENTS							
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	WO 95/24185	09/14/1995	PCT				
	WO 96/32403	10/17/1996	PCT				
	WO 98/16184	04/23/1998	PCT				
	WO 02/42172	06/13/2002	PCT				
	WO 02/49165	06/13/2002	PCT				
	WO 03/062256	07/31/2003	PCT				
	WO 03/106477	12/24/2003	PCT				
	WO 03/051899	06/26/2003	PCT				
	WO 03/053989	07/03/2003	PCT				
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	WO 2004/106356	12/09/2004	PCT				
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	WO 2004/080466	09/23/2004	PCT				
	WO 2004/096234	11/11/2004	PCT				
	WO 2004/096235	11/11/2004	PCT				

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	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
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	WO 2004/096286	11/11/2004	PCT				
	WO 2005/002626	01/13/2005	PCT				
	WO 2005/003147	01/13/2005	PCT				
	WO 2005/007810	01/27/2005	PCT				
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	WO 200508877	01/27/2005	PCT				
	WO 2006/000922	01/05/2006	PCT				
	WO 2006/029081	03/16/2006	PCT				
	WO 2006/031725	03/23/2006	PCT				
	WO 2006/037028	04/06/2006	PCT				
	WO 2006/061576	06/15/2006	PCT				
	WO 2006/065335	06/22/2006	PCT				
	DE19914474A1	03/30/98	Germany				
	EP180276A1	10/24/84	Europe				
	EP350287B1	07/05/89	Europe				
	WO0009531A2	02/24/00	PCT				
	WO0024355A1	05/04/00	PCT				
	WO0037110A2	06/29/00	PCT				
	WO0037110A3	06/29/00	PCT				
	WO01060315A3R4	08/23/01	PCT				
	WO01079246A3R4	10/25/01	PCT				
	WO0132153A2	05/10/01	PCT				

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	WO0179246A2	10/25/01	PCT				
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	WO0192282A3R4	12/06/01	PCT				
	WO0196353A2	12/20/01	PCT				
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	WO02008187A1R6	01/31/02	PCT				
	WO02008198A3R4	01/31/02	PCT				
	WO02008251A3R4	01/31/02	PCT				
	WO02032414A3R4	04/25/02	PCT				
	WO0204815743R4	06/20/02	PCT				
	WO02048165A3R4	06/20/02	PCT				
	WO02048165A3R5	06/20/02	PCT				
	WO02048172A3R4	06/20/02	PCT				
	WO02057425A2	07/25/02	PCT				
	WO02060926A2	08/08/02	PCT				
	WO02060926A3R41	08/08/02	PCT				
	WO0208198A2	01/31/02	PCT				
	WO0208251A2	01/31/02	PCT				
	WO0208256A2	01/31/02	PCT				
	WO02108415A2	12/19/02	PCT				
	WO02100415A3R4	12/19/02	PCT				
	WO0232920A2	04/25/02	PCT				
	WO0248116A2	06/20/02	PCT				
	WO0248157A2	06/20/02	PCT				

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	WO0248165A2	06/20/02	PCT				
	WO0248172A2	06/20/02	PCT				
	WO03024461A1	03/27/03	PCT				
	WO2002032920A3R4	04/25/02	PCT				
	WO2004000858A2	12/31/03	PCT				
	WO2004000858A3R4	12/31/03	PCT				
	WO2004002999A2	01/08/04	PCT				
	WO2004002999A3R4	01/08/04	PCT				
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	WO2004003138A2	01/08/04	PCT				
	WO8902733A1	04/06/89	PCT				
	WO9000555A1	06/30/89	PCT				
	WO9116920A1	11/14/91	PCT				
	WO9118914A1	12/12/91	PCT				
	WO9119721A1	12/26/91	PCT				
	WO9300910A1	01/21/93	PCT				
	WO9426273A1	11/24/94	PCT				
	WO9513090A1	05/18/95	PCT				
	WO9615132A1	05/23/96	PCT				
	WO9736554A1	10/09/97	PCT				
	WO9817679A1	04/30/98	PCT				
	WO9822496A2	05/28/98	PCT				
	WO9822496A3	05/28/98	PCT				
	WO9907734A2	02/18/99	PCT				
	WO9907734A3	02/18/99	PCT				

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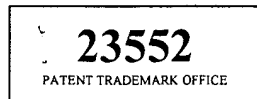
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	WO9915194A1	04/01/99	PCT				
	WO9932139A1	07/01/99	PCT				
	WO9932140A1	07/01/99	PCT				
	WO9943691A1	09/02/99	PCT				
	WO9959621A1	11/25/99	PCT				
	WO9964016A1	12/16/99	PCT				
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
		Berenguer, M. et al., "Hepatitis C virus in the transplant setting," Antiviral Therapy. Second International Conference on Therapies for Viral Hepatitis, Vol. 3, Supplement 3, pp. 125-136 (1998)					
		Chu, M. et al., "Structure of Sch 68631: A New Hepatitis C Virus Proteinase Inhibitor from Streptomyces sp.," Tetrahedron Letters, Vol. 37, No. 40, pp. 7229-7232 (September 30, 1996)					
		Clark, J. et al., "Design, Synthesis, and Antiviral Activity of 2'-Deoxy-2'-fluoro-2'-C-methylcytidine, a Potent Inhibitor of Hepatitis C Virus Replication," Journal of Medicinal Chemistry, Vol. 48, No. 17, pp. 5504-5508 (2005)					
		Davis, G. L., "Current Therapy for Chronic Hepatitis C," Gastroenterology 118: S104-S114, 2000					
		Edmundson et al., "Cyclic Organophosphorus Compounds Part 23. Configurational Assignments in the 4-Phenyl-1,3,2 λ <sup>5</sup> -dioxaphosphorinane Series. X-Ray Molecular Structure of cis-2-Benzylamino-4-phenyl-1,3,2-dioxaphosphorinane 2-Oxide," J. Chem. Res. Synop., 1989, 5:122					
		Hertel, et al. "Synthesis of 2-Deoxy-2,2-difluoro-D-ribose and 2-Deoxy-2,2-difluoro-D-ribofuranosyl Nucleosides," J. Org. Chem. Vol. 53, pages 2406-2409, (1988)					
		Hostetler, K. et al., "Greatly Enhanced Inhibition of Human Immunodeficiency Virus Type 1 Replication in CEM and HT4-6C Cells by 3'-Deoxythymidine Diphosphate Dimyristoylglycerol, a Lipid Prodrug of 3'-Deoxythymidine," Antimicrob. Agents Chemother., Vol. 36, No. 9, pp. 2025-2029 (September 1992)					
		Hostetler, K. et al., "Synthesis and Antiretroviral Activity of Phospholipid Analogs of Azidothymidine and Other Antiviral Nucleosides," J. Biol. Chem., Vol. 265, No. 11, pp. 6112-6117 (April 15, 1990)					
		International Search Report and Opinion for International Application No. PCT/US05/25916					
		Kotra, L.P., "Structure-Activity Relationships of 2'-Deoxy-2',2'-difluoro-L-erythro-pentofuranosyl Nucleosides," J. Med. Chem., Vol. 40, pp. 3635-3644, (1997)					
		Kryuchkov, A. et al., "Influence of Solvent on the Strength of Cyclic Oxygen-Containing Phosphorus Acids," Bulletin of the Academy of Sciences of the USSR. Division of Chemical Science, Vol. 36, No. 6, Part 1, pp.					

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FOREIGN PATENT DOCUMENTS							
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						YES	NO
		1145-1148 (1987)					
		Mitchell, A. et al., "Bioreversible Protection for the Phospho Group: Bioactivation of the Di(4-acyloxybenzyl) and Mono(4-acyloxybenzyl) Phosphoesters of Methylphosphonate and Phosphonoacetate," Journal of the Chemical Society, Perkin Transactions 1, No. 18, pp. 2345-2353 (September 21, 1992)					
		Neidlein, R. et al., "Mild preparation of 1-benzyloxyminoalkylphosphonic dichlorides: Application to the synthesis of cyclic phosphonic diesters and cyclic monoester amides," Heterocycles, Vol. 35, No. 2, pp. 1185-1203 (1993)					
		Nifant'ev, E. et al., "Synthesis and structure of some stable phospholane-phospholanes," Phosphorus, Sulfur, and Silicon and the Related Elements, Vol. 113, pp. 1-13 (1996)					
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EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	